

**THIRD TAXING DISTRICT
CITY OF NORWALK
APRIL 22, 2002**

ATTENDANCE: David Brown, Chairman; Stephen Feinstein; Paul Coggin.

OTHERS: John Mola, District Treasurer; Lawrence Dennin, District Counsel; Tim Plunkett; Ron Scofield.

The Chairman called the meeting to order at 7:00 p.m.

Mr. Feinstein questioned whether the meeting was legal because the date on the agenda was Monday, April 21, and the meeting was actually taking place on Monday, April 22. The Chairman stated that the wrong date was a typo. Mr. Feinstein noted that some of the agenda items might require input from other people. He stated that it would be unfortunate if the meeting were to be thrown out by the FOI commission because it was improperly noted. The Chairman stated that the meeting date had been planned for months, and that the incorrect date had appeared on notices typed on Thursday. He noted that the incorrect date would have been discovered yesterday and the meeting attended this evening.

**** MR. coggin MOVED TO accept the agenda as it is, understanding that april 21st was a typo, and it should say Monday, April 22nd, and proceed with the meeting.**

Mr. Brown suggested that the 19 items be put forth as the agenda for the evening's meeting, as new matters. Mr. Dennin suggested that both be done.

**** Mr. brown SECONDED THE MOTION.**

**** mOTION PASSED with one abstention (mr. coggin).**

**** mr. feinstein moved that the items for the meeting as needed should be considered as new business.**

**** Mr. brown seconded the motion.**

**** motion passed with one abstention (mr. coggin).**

public comment

Tim Plunkett was introduced, having volunteered for the steering committee. Mr. Plunkett addressed the commission, stating that he had attended the annual meeting, and had volunteered to help because he was made aware of the need.

approval of minutes

january 22, 2002

The Chairman stated that there was a clerical situation in the January 22, 2002 minutes, in that the actual vote taken to approve the Web site after the discussion was omitted. He stated that the vote should be recognized and noted as retroactive to that date.

**** mr. coggin moved to recognize the approval for the web site and note it as retroactive to that date.**

**** Mr. brown seconded the motion.**

Mr. Feinstein stated that he could not remember the exact circumstances of the item, and had not seen the email referring to it. Mr. Scofield stated that the email was simply alerting people to this situation. The original documentation was distributed and reviewed.

**** motion passed with one abstention (mr. feinstein).**

march 25, 2002

**** mr. brown moved to accept the minutes as written for march 25, 2002.**

**** Mr. feinstein seconded the motion.**

**** motion passed unanimously.**

approval of creation of traffic islands and mini-parks committee

Mr. Mola stated that this item had been discussed in detail at the meeting last month. He stated

that he felt this would be valuable asset for the district to look after the mini parks and traffic islands and to manage the budgetary money set aside for it this year in the amount of \$20,000. Mr. Mola stated that through surveys, it was gathered that many people were concerned with the upkeep and/or improvement of these areas. He stated that these efforts were in addition to those provided by the Improvement Association. Mr. Mola noted that this district's traffic islands were in disrepair, especially in comparison to those in other Norwalk districts. He stated that he would be willing to head up the effort if he was able to get support.

Discussion regarding responsibilities of the committee ensued. Mr. Feinstein questioned why this committee should necessarily be separate than the Beautification Committee, that perhaps it should work with the Beautification Committee to focus on the improvement of the traffic islands. He also noted that the Beautification Committee was always looking for more volunteers and help. Mr. Brown stated that he would like to try the new committee for the summer, and that if it didn't show results, it could then be disbanded, especially in light of the fact that Mr. Mola was volunteering to head the committee.

**** mr. coggins moved that the traffic island and mini-parks committee be created with john mola as the chairperson as described in the attachment to last month's meeting.**

Mr. Coggin read the description as follows: the committee would work hand-in-hand and collaboratively with the Beautification Subcommittee of the Norwalk Improvement Association, that the committee would manage the \$20,000 in the budget, and it would look after things in the mini-parks, traffic islands, signage and things of that nature. He stated that this was the charter for the committee, and added that the committee would continue to gain public input regarding what should be done by the committee.

**** Mr. brown seconded the motion.**

**** motion passed unanimously.**

replacement of pine tree in constitution park/discussion of electric vehicles

Mr. Brown stated that tree was not in good shape and the intent was to get it replaced. He stated that once there was an approval to change it, Mr. Scofield would gather Christmas tree bids to be brought up at a special meeting, hopefully by May 6th. Discussion ensued as to specifics of the kind of tree desired.

**** mr. brown moved to replace the pine tree in constitution park, seeking bids for a replacement tree.**

**** Mr. feinstein seconded the motion.**

**** motion passed unanimously.**

Mr. Brown opened the discussion regarding the electric vehicles, stating that the existing ones were very old, expensive to repair and that replacements were being recommended. Mr. Scofield stated that the smaller vehicle had been no cost to the district since a technical school did the work on it and donated it, until recent years when parts started needing replacement, especially the batteries. He stated that it had been driven by someone in the metering department, and had not been used since, and according to Lineman Greg Goldstein was no longer needed.

Mr. Scofield stated that the larger truck cost was \$58,920.00 which had been paid in part by grant monies received, and the balance of \$19,502.00 was being billed by CMEEC. This van was originally intended for transporting tools and parts for underground work, but was currently not being used for this. It was being driven occasionally and was in working order.

Mr. Brown stated that this issue had come up because one of the bucket trucks was having its transmission repaired, and the small bucket truck was becoming less reliable and safety was becoming a concern using it. He stated that exact details could not be confirmed as Mr. Mitchell was unable to attend that evening's meeting, but that this discussion could be continued at the May 6th meeting when Mr. Mitchell might be in attendance. Further discussion of the various trucks ensued. Mr. Feinstein noted that the bill needed to be paid, and that a vote did not need to be taken as the cost of the van had already been approved previously. Mr. Coggin suggested that an expert evaluation of the use of electric vehicles be gathered for the next meeting to better understand how the vehicles could be used to their best advantage.

r.t. vanderbilt and concerns of the line foreman

Mr. Brown stated that again Mr. Mitchell's input would be helpful for this discussion, but he could not attend the meeting. Mr. Brown stated that Joe Cristino, Joe Chariot and Ray Mitchell had locked access to the meter room where the district's primary entered R.T. Vanderbilt, since it was very old and potentially dangerous. He stated that Mr. Cristino's analysis was included as attachment in the commissioner's packets, and that the discussion could continue at the next meeting.

Discussion ensued regarding liability of the situation since it was now a known to be dangerous. Mr. Scofield stated that a remedy for the situation was being sought, and that access to the room was locked to prevent any mishap in the meantime. Mr. Brown stated that his understanding was that the problem was on the district side, so it was the committee's responsibility to see that it

was repaired. Mr. Coggin suggested that warning signs be put up as well the following day as further mitigation to prevent any mishap.

Mr. Brown stated that the second Line Foreman item was regarding the East Avenue Substation as described in the attached Cristino report. The report noted that insulators were bought but never installed due to the deenergizing of a number of circuits, and that there was concern regarding the life and upkeep of the East Avenue Substation. Mr. Brown stated that Mr. Cristino would be invited to the May 6th meeting to address these issues with the commission. Mr. Feinstein suggested that Mr. Cristino be requested to help outline and prioritize action items from the concerns, and cost estimates for the recommended actions.

banking change (scofield attachment)

Mr. Brown stated that Mr. Scofield was recommending a change in banking, as outlined in his attachment. Mr. Scofield said that signature cards needed to be updated to reflect the current commission members. He also stated that due to bank takeovers, the original collateral agreement was no longer in effect, and that a better agreement might be reached with Patriot Bank, including a better rate, and more free services, and restoration of the original collateral agreement. Mr. Scofield was recommending a switch to Patriot Bank, stating that it did not happen earlier due to timing of changeover in commission members.

**** mr. coggin moved to review the proposed collateralization agreement from patriots bank, render an opinion whether it was a good agreement for the district, and re-address the issue at the may 6th meeting.**

**** Mr. brown seconded the motion.**

**** motion passed unanimously.**

Mr. Coggin suggested that written memos to Mr. Brown from Mr. Scofield be copied to all members of the commission and to Mr. Dennin. Mr. Scofield noted that some items might require action sooner than at the monthly meetings. Mr. Coggin stated that he would like to have the memos as an informational help regardless. Mr. Scofield stated that he would send any memos not included in that evening's packet to the commissioners.

subaru assignment/detailing ttd on doors

Mr. Brown stated that the Subaru had remained idle for a number of weeks, and then had

problems starting. He stated that he had also looked into putting municipal Norwalk plates on the car, but since it was leased and legally owned by Chase, it could not be a municipal plate. Mr. Brown asked whether there was any problem with allowing Mr. Scofield use of the Subaru to commute back and forth to work, to make sure it was run on a regular basis.

Mr. Brown also noted that the Fire Department Marshal vehicle had 2 ½" lettering on the passenger side of the door, and that Signs by Anthony could put lettering on both doors for \$150. He stated that this would personalize the vehicle for the Third Taxing District since municipal plates could not be put on the car, but it could be removed when the vehicle was sold.

**** mr. coggin moved to approve use of the subaru by Mr. scofield for commuting back and forth to work with the condition that it be limited to work related travel.**

**** Mr. brown seconded the motion.**

Mr. Feinstein stated that the use of the car by Mr. Scofield who was not the General Manager might create friction among other employees, and that the vehicle be made available for work-related errands during work hours. Mr. Brown stated that he had asked for the opinions of the other employees regarding this. Mr. Scofield stated that office errands were inconsistent, but that the car could be driven on a scheduled basis if use for commuting was not approved. Mr. Coggin asked for verification that the insurance covered all municipal employees for the department. Mr. Brown stated that he wished to limit the use of the vehicle to two named employees rather than the whole department. Mr. Brown noted that other vehicles were slated for specific uses by the department, so the Subaru would not need to be used for everything.

**** mr. coggin moved that, subject to insurance confirmation, to approve use of the subaru by any office personnel on an as needed basis during the day and that mr. scofield use the subaru for commuting to and from work.**

**** Mr. brown seconded the motion.**

**** motion passed with one abstention (mr. feinstein).**

Mr. Brown readdressed the issue of lettering on the doors. Mr. Feinstein requested that bids be sought for the logo to be put on all vehicles for the May 6th meeting.

fire house traffic light (grumman attachment)

Mr. Brown stated that the attachment described the issue, detailing what needed to be done.

**** mr. coggin moved to approve the traffic light change per the letter of william grumman dated march 1, 2002 and authorize the chairman to execute any necessary documents.**

**** Mr. brown seconded the motion.**

**** motion passed unanimously.**

general manager ads

Mr. Brown stated that proposed ads had been discussed previously, and that rate sheets were included in the commissioners' packets. He indicated ad sizes as described by the rate sheets. Mr. Brown stated that approval was being sought to advertise for a General Manager in the national magazines indicated on the rate sheets. Mr. Coggin suggested that a budget be approved for the ads, to allow some flexibility in placing them without requiring biweekly approvals by the commission. Mr. Coggin also noted that it had been approved last month to run the free headline ads, but that had not been done. Mr. Brown apologized, stating that he had planned to get them all approved and run all at once.

Mr. Brown stated that he had investigated the use of a recruiter to do a search for a General Manager, and had found that to be very expensive, with a fee of 30% of both salary and benefits. Mr. Scofield noted that the trade magazines were worth the \$600 fee for an ad, since they remained in the office all month long for people to peruse. Discussion ensued regarding negotiating ad rates and length of time to run the ads.

Mr. Brown summarized that the commission wished to pay for two ads and place as many free ads as could be found. Mr. Coggin suggested that a budget be set for \$5,000 and make it a point to advertise in as many free ones as possible, and to advertise in the organizations that the commission belonged to, and also the two paid ads. Mr. Brown noted that the deadlines for some of the periodicals might have already closed for the next publication, but the ads could be submitted for the following issue. Mr. Brown stated that he would take charge of placing the ads. Mr. Scofield noted that the ads could be run at the magazine Web sites if the publication deadlines had been missed.

**** mr. coggin moved to set a budget of \$5,000.00 reflecting the comments of the discussion, and to advertise with the language that Larry Dennin circulated to the commission.**

**** Mr. brown seconded the motion.**

Mr. Feinstein questioned where the \$5,000.00 budget money would be taken from. Mr. Coggin stated that this was an Electric Department budget item, but that to his knowledge the budget was not in existence for the current year nor set for the next year, so this could not be answered at this time. Mr. Dennin stated that the money would be taken from the Electric Department budget.

**** motion passed with one abstention (mr. feinstein).**

mama vicki use of constitution park deck

Mr. Brown stated that the owner had come to two commission meetings, then stopped showing up. Mr. Feinstein stated that he had spoken with the manager, who had agreed to remove the tables and chairs from the bandstand, but this had not happened after a few days had passed. Mr. Feinstein suggested that a Cease and Desist letter be sent, since the bandstand was a public park and could not be used for commercial use. Mr. Brown stated that in his conversation with the owner, the owner stated that he would address the commission at the May meeting, but agreed that a Cease and Desist letter should be sent in the meantime.

**** mr. feinstein moved to direct counsel to write a letter to the proprietors of mama vicki's, to cease and desist use of the bandstand at constitution park in a commercial enterprise.**

**** Mr. brown seconded the motion.**

Discussion ensued regarding resistance by the owner to the Cease and Desist order.

**** motion passed unanimously.**

appa seminar

Discussion of the brochure for the APPA Seminar to take place in August, 2002 ensued.

update on status of ron scofield as acting district clerk

Mr. Brown confirmed that Mr. Scofield had accepted the position of acting District Clerk.

draft electrical department operating and capital budgets

Mr. Coggin stated that this was a request for Mr. Scofield to provide a draft copy of the Electrical Department Budget for fiscal year 2003, starting July 1, 2002 through July 2003, adding that he believed Mr. Tenore had this in progress. Mr. Scofield stated that he had not seen any draft so far, but he would investigate further.

Mr. Brown stated that Mr. Scofield had brought up the issue of monthly reports, and that some were a part of job descriptions, such as that for the Office Manager. Mr. Scofield stated that these were not financial reports. Mr. Brown stated that inclusion of monthly financial reports in the commission meetings would be appropriate. Mr. Coggin noted that the budget would need to be in place before monthly financial reports could be generated.

approval of five members proposed by enia for 51 van zant st. steering committee

Mr. Coggin stated that the five people were Kevin McMan, Dennis Santella, Nancy Cutner, David Fales and Les Bell. Mr. Dennin stated that Les Bell might no longer be an Association member.

**** mr. feinstein moved to approve the five members proposed by ENIA for placement on the 51 van zant st. steering committee to wit: dennis santella, les bell, nancy cutner, kevin mcmann and david fales.**

**** Mr. coggin seconded the motion.**

**** Motion passed with one abstention (mr. brown).**

approval of five members proposed by district for 51 van zant st. steering committee

Mr. Mola proposed himself, Laura Lindstrum, John Pinto, Tim Plunkett, and possibly Mr. Coggin if he were willing. Discussion ensued regarding the proposed list of people. Mr. Coggin stated that he could be placed on the committee as an alternate, which would leave the steering committee with only nine members, if another member could not be agreed on at that time, so the committee could proceed. Mr. Mola stated that he had spoken to several other people, but that they had not responded back to him as yet.

Mr. Feinstein expressed his disagreement with the formation of the committee, and stated that he had not been involved in the selection of the proposed members. Mr. Brown suggested that the item be tabled until May 6th to allow Mr. Feinstein to provide his input and to allow time for

contacted people to respond.

appointment of district clerk

Mr. Coggin stated that there was currently one candidate for the position, and asked if there were any others that the commissioners were aware of. Mr. Scofield stated that he was willing to act as District Clerk for a couple of months and decide whether he would be interested in the position on a permanent basis. Mr. Mola stated that Steve Oris from East Norwalk had expressed interest in being nominated, so Mr. Mola brought this to the attention of the commissioners. Mr. Coggin informed Mr. Scofield that it was the commission's responsibility to consider all candidates who expressed an interest.

executive session

union contract negotiations

district clerk

phase i study at city property near wwtp

proposal sent to iso/nbe via cmeec

**** mr. brown moved to go into executive session for the above items.**

**** Mr. coggin seconded the motion.**

**** Motion passed unanimously.**

The Commissioners went into Executive Session at 9:40 p.m.

The Commissioners returned to public session at 10:33 p.m. Mr. Brown stated that no actions were needed regarding the subjects within the Executive Session.

adjournment

**** MR. feinsten MOVED TO adjourn the meeting.**

**** mr. coggin SECONDED THE MOTION.**

**** mOTION PASSED UNANIMOUSLY.**

The Chairman adjourned the meeting at 10:35pm.

Respectfully submitted,

Jane Marin
Telesco Secretarial Services